

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

TODD KRAMER,	)	
	)	
Plaintiff,	)	Case No.
	)	
vs.	)	
	)	FILED: MAY 7, 2008
CHRYSLER LLC,	)	08CV2611 J. N.
	)	JUDGE MORAN
Defendant.	)	MAG. JUDGE MASON

**NOTICE OF REMOVAL**

Defendant, Chrysler LLC (incorrectly named in the original complaint as DaimlerChrysler Motors Company, LLC of Delaware, Individually, DaimlerChrysler Motors Company, LLC of Delaware d/b/a Chrysler Motors, LLC and Chrysler Motors, LLC Individually), hereby gives notice of removal of this action from the Circuit Court for Cook County, Illinois to the U.S. District Court for the Northern District of Illinois, Eastern Division. In further support of this notice, defendants state as follows:

1. A true and correct copy of the complaint filed in the Circuit Court for Cook County (Case No. 2008L003684) is attached hereto and incorporated herein by reference.
2. The complaint purports to seek redress for personal injuries suffered by plaintiff while lawfully on premises owned and operated by defendant, Chrysler LLC, in Belvidere, Illinois (its Belvidere Assembly Plant), and is based in the common law of the State of Illinois.
3. From the face of the complaint, it appears that plaintiff is a citizen of the state of Illinois.
4. Chrysler LLC is a Delaware limited liability company with its principal place of business in Auburn Hills, Michigan.

5. On information and belief, plaintiff will be seeking in excess of \$75,000 in damages. *See Shaw v. Dow Brands*, 994 F.2d 364, 366 n.2 (7th Cir. 1993).

6. Because there is complete diversity of citizenship between the plaintiff and the defendant, and because the amount in controversy exceeds \$75,000, the U.S. District Court for the Northern District of Illinois, Eastern Division has original jurisdiction and removal thereto is proper pursuant to 28 U.S.C. §§ 1332, 1441(a).

For the foregoing reasons, the above-captioned matter has been removed to the U.S. District Court for the Northern District of Illinois, Eastern Division.

CHRYSLER LLC, defendant  
By WilliamsMcCarthyLLP, its attorneys,

/s/ Stephen E. Balogh  
Stephen E. Balogh  
Attorney for defendant,  
CHRYSLER LLC  
WilliamsMcCarthy LLP  
120 W. State St., Suite 400  
P.O. Box 219  
Rockford, IL 61105-0219  
Telephone: (815) 987-8946  
Facsimile: (815) 968-0019  
E-mail: [sbalogh@wilmac.com](mailto:sbalogh@wilmac.com)

**CERTIFICATE OF LAWYER**

The undersigned hereby certifies that on May 7, 2008, I electronically filed the foregoing instrument with the Clerk of the Court using the CM/ECF system, and I hereby certify that I have served via U.S. Mail the document to the following non-CM/ECF participant:

Attorney Timothy P. Rhatigan  
Rhatigan & Chute LLC  
100 W. Monroe Street, 19th Floor  
Chicago, IL 60603

Cook County Circuit Court  
Richard J. Daley Center, Room 801  
50 W. Washington Street  
Chicago, IL 60602

/s/ Stephen E. Balogh  
Stephen E. Balogh  
Attorney for defendant,  
CHRYSLER LLC  
WilliamsMcCarthy LLP  
120 W. State St., Suite 400  
P.O. Box 219  
Rockford, IL 61105-0219  
Telephone: (815) 987-8946  
Facsimile: (815) 968-0019  
E-mail: [sbalogh@wilmac.com](mailto:sbalogh@wilmac.com)

JUDGE MORAN  
MAG. JUDGE MASON

IN THE CIRCUIT COURT OF COOK COUNTY, ILLINOIS  
COUNTY DEPARTMENT - LAW DIVISION

TODD KRAMER,

Plaintiff,

v.

No:

DAIMLERCHRYSLER MOTORS  
COMPANY, LLC of DELAWARE, Individually,  
DAIMLERCHRYSLER MOTORS  
COMPANY, LLC, of DELAWARE d/b/a/  
CHRYSLER MOTORS, LLC and  
CHRYSLER MOTORS, LLC  
Individually,

Defendants.

COMPLAINT AT LAW

Plaintiff, TODD KRAMER, by and through his attorneys, RHATIGAN & CHUTE, L.L.C., complaining of Defendants, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE individually, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE d/b/a CHRYSLER MOTORS, LLC and CHRYSLER MOTORS, LLC, individually, and each of them, states as follows:

1. On April 6, 2006, Defendants, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE, individually, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE d/b/a CHRYSLER MOTORS, LLC and CHRYSLER MOTORS, LLC, individually, and each of them, owned, operated, managed, maintained and controlled a manufacturing plant commonly known as Chrysler Belvidere Assembly Plant located at 3000 West Chrysler Drive in Belvidere, Illinois.

2. At the time and place aforesaid, Defendants, DAIMLERCHRYSLER MOTORS

COMPANY, LLC, OF DELAWARE, individually, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE d/b/a CHRYSLER MOTORS, LLC and CHRYSLER MOTORS, LLC, individually, and each of them, within its aforesaid plant owned, operated, managed, maintained and controlled an area of the plant commonly known as the stamping area.

3. At the time and place aforesaid, Plaintiff, TODD KRAMER, was a business invitee of Defendants, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE, individually, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE d/b/a CHRYSLER MOTORS, LLC and CHRYSLER MOTORS, LLC, individually, and each of them, and was then and there lawfully on the premises.

4. While on the premises of Defendants, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE, individually, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE d/b/a CHRYSLER MOTORS, LLC and CHRYSLER MOTORS, LLC, individually, and each of them, Plaintiff, TODD KRAMER was assigned an escort by Defendants, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE, individually, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE d/b/a CHRYSLER MOTORS, LLC and CHRYSLER MOTORS, LLC, individually, and each of them.

5. At the time and place aforesaid, Plaintiff, TODD KRAMER, was caused to fall into a chute designed to collect scrap metal.

6. At the time and place aforesaid, Defendants, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE, individually, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE d/b/a CHRYSLER MOTORS, LLC and CHRYSLER MOTORS, LLC, individually, and each of them, were negligent in one or more of the following respects:


- a. Failed to warn Plaintiff of the presence of the chute;
- b. Failed to cover the chute;
- c. Failed to rope off or barricade the area around the chute;
- d. Failed to discontinue use of the stamping line in the area occupied by Plaintiff which would automatically close the aforementioned chute;
- e. Negligently allowed the chute to remain open while the stamping line was turned off;
- f. Failed to have a continuous escort present with Plaintiff to warn of dangerous conditions including, but not limited to the exposed scrap metal chute.

7. As a direct and proximate result of one or more of the aforesaid negligent acts and/or omissions of Defendants, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE, individually, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE d/b/a CHRYSLER MOTORS, LLC and CHRYSLER MOTORS, LLC, individually, and each of them, Plaintiff, TODD KRAMER, sustained injuries of a personal, permanent and pecuniary nature.

WHEREFORE, Plaintiff, TODD KRAMER, demands judgment against Defendants, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE, individually, DAIMLERCHRYSLER MOTORS COMPANY, LLC, OF DELAWARE d/b/a CHRYSLER MOTORS, LLC and CHRYSLER MOTORS, LLC, individually, and each of them, in an amount in excess of FIFTY THOUSAND DOLLARS (\$50,000.00).

RHATIGAN & CHUTE, LLC

By:

  
Timothy P. Rhatigan, Attorney for Plaintiff

Timothy P. Rhatigan  
RHATIGAN & CHUTE LLC  
100 W. Monroe St. 19<sup>th</sup> Floor  
Chicago, IL 60603  
312-578-8502  
Attorney #: 44392